THE VIRGINIA GAZETTE, AND GENERAL ADVERTISER.

RICHMOND—PRINTED (EVERY WEDNESDAY AND SATURDAY) BY AUGUSTINE DAVIS—AT FOUR DOLLARS PER ANNUM, PAID IN ADVANCE.

No. 1269.] SATURDAY, DECEMBER 8, 1804. [VOLUME XIX.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 20th day of Sept. 1804,

Between

John Gray, *Plt.*

And

—— Barwise, adm'x. of Thomas Barwise, dec. Robert Patton and Company, Murray, Grinnan and Mundell, Robert Walker and John Scott & Company, *Defts.*

THE defendant —— Barwise, adm'x. of Thomas Barwise, dec. not having entered her appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that she is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, PETER TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 20th day of Sept. 1804,

Between

Robert Beverley, *Plt.*

And

—— Barwise, adm'x. of Thomas Barwise, dec. Robert Patton and Company, Murray, Grinnan and Mundell, Robert Walker and John Scott and Company, *Defts.*

THE defendant —— Barwise, adm'x. of Thomas Barwise, dec. not having entered her appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that she is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 20th day of Sept. 1804,

Between

Francis Brooke, assignee of the estate and effects of William S. Stone, a declared bankrupt, *Plt.*

And

—— Barwise, adm'x. of Thomas Barwise, and Robert Patton and Company, *Defts.*

THE defendant —— Barwise, adm'x. of Thomas Barwise, dec. not having entered her appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that she is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 20th day of Sept. 1804,

Between

Reuben Garnett, *Plt.*

And

—— Barwise, adm'x. of Thomas Barwise, Robert Patton and Company, John Scott, Robert Walker, William S. Stone, Thomas Goodwin, Carter Beverley, George Buckner, David Henderson and Francis Corbin, *Defts.*

THE defendant —— Barwise, adm'x. of Thomas Barwise, dec. not having entered her appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that she is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 26th day of Sept. 1804,

Between

Seth Barton, *Plt.*

And

Charles Davis and Thomas Fisher, merchants; Thomas Glenn, Adam Douglas, and Atwell and Smith, *Defts.*

THE defendants Charles Davis and Thomas Fisher, not having entered their appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that they are not inhabitants of this country: On the motion of the plaintiff, by counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery holden in Richmond, the 20th day of September, 1804,

Between

Robert Bailey, *Plt.*

And

John A. Still and Bartlett Still, *Defts.*

THE defendant John A. Still, not having entered his appearance and giving security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this country: On the motion of the plaintiff, by counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 20th day of September, 1804,

Between

John Taylor, *Plt.*

And

—— Barwise, adm'x. of Thomas Barwise, Robert Patton and Company, and Robert Walker, *Defts.*

THE defendant —— Barwise, adm'x. of Thomas Barwise, deceased, not having entered her appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that she is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 20th day of September, 1804,

Between

John Brownlow, *Plt.*

And

—— Barwise, adm'x. of Thomas Barwise, dec. Robert Patton and Company, and Robert Walker, *Defts.*

THE defendant —— Barwise, adm'x. of Thomas Barwise, dec. not having entered her appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that she is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 22d day of September, 1804,

Between

David Briggs, *Plt.*

And

Gaven Lawson, William Fitzhugh, Thomas Fitzhugh, trustees of Robert Carter, dec. and Robert Carter, Walker R. Carter, John Carter and Charles L. Carter, *Defts.*

THE defendants Gaven Lawson and William Fitzhugh, not having entered their appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that they are not inhabitants of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendants do appear here on the first day of next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 21st day of September, 1804,

Between

Clara Horton, *Plt.*

And

Elijah Horton, *Deft.*

THE defendant not having entered his appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 22d day of September, 1804,

Between

Robert Dunbar, *Plt.*

And

James Home, John Home, George Logan, jun. and Helen his wife, and Alexander Vass, adm'r. of Patrick Home, dec. and James Blair, surviving executor of Henry Mitchell, dec. *Defts.*

THE defendants James Home, John Home, George Logan, jun. and Helen his wife, not having entered their appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that they are not inhabitants of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendants do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

ADVERTISEMENT.

To be Sold to the highest bidder, on Tuesday, the 11th day of December next, ensuing, at Daniel Taylor's, if fair, if not, on the next fair day, in the county of James City,

The Estate of JAMES ABBOTT, dec.

Consisting of HORSES, CATTLE, &c. Household and Kitchen FURNITURE.

TERMS of sale—six months credit for all sums above fifteen dollars, the purchaser giving bond with approved security, to carry interest from the date, if not punctually paid. Also, at the same time and place, will be hired out all the NEGROES belonging to the said estate.

BY THE ADMINISTRATOR.

November 5th, 1804. 2aN—&c2D

Wm. COWAN,

WATCH & CLOCK MAKER,

(ONE DOOR BELOW THE EAGLE TAVERN)

REPAIRS Watches and Clocks, of every description, at the shortest notice. W. C. returns his grateful acknowledgments to his Friends and Customers, and hopes to merit a continuance of past favors.

N. B. He has for sale a few good WATCHES, with a variety of CHAINS, SEALS, KEYS, &c.

December 3d, 1804. 3af

WANTED,

AN OVERSEER;

A person well recommended will meet with encouragement on application to the subscriber.

MARY BYRD.

Westover, Charles City county, November 20th, 1804. tJ1

Virginia:

At a Superior Court of Chancery, held at the Capitol in the city of Richmond, the 3d day of October, 1804,

BETWEEN

Dudley Holt and Thomas Spragins, *Plaintiffs*,

AND

Thomas Cocke and Richard Cocke, *Defendants*.

THE defendant, Thomas Cocke, upon whom an attachment for his contempt in not answering the bill of the plaintiffs, hath been returned executed, still failing to answer the same, the court, this 3d day of October, in the year one thousand eight hundred and four, upon the motion of the plaintiffs, by their counsel, doth take their bill for confessed, as to that defendant: and will proceed, at a future day, to decree the matter thereof, unless the said defendant, on or before the tenth day of the term next after he shall have been served with a copy of this order, shew cause to the contrary.

P. TINSLEY, c. c.

For Sale,

YARMOUTH,

LYING in James City county, on Chickahominy River, ten miles from Williamsburg. The improvements are, a two story brick house, with two rooms and a passage above and below; porticoes on each side; a large and capacious barn, and three other out-houses. The whole tract, including an Island, in view of the house, high and low land with marshes, contains about 2700 acres; scarcely one third of which is cleared. Two thirds of the Island is arable, which, with the land adjoining the house, is of superior quality. Adjacent to the Island are two bold and navigable creeks, with a convenient landing to each. The range for cattle is very extensive, and the marshes and meadows will supply an abundance of hay. Fish and wild fowl, in their respective seasons, may with ease be obtained at your door. The orchards, consisting of the greatest variety of all kinds of fruit, selected with care, are now in their prime. The terms will be made known by William Berkeley, of Richmond, William Randolph, of Wilton, or the subscriber. PEYTON RANDOLPH, Jun.

For Eliz. Innes.

November 6th, 1804.—(2wN.—law D & J 2am af tf.)

SALES AT AUCTION.

WILL BE SOLD, on the premises, on Saturday, 8th day of December next, the corner *Brick Tenement*, on Shockoe Hill, opposite to Mrs. Page's.

Terms of sale—One third cash, one third in 60 days, and the remainder in 120 days; for which notes, with approved endorsers, negotiable at the bank, will be expected. THOMAS TAYLOR & Co. s. m.

Nov. 30, 1804. tds

NEW YORK, November 29.

By the ship Mercury, captain Stoddart, in 55 days from Dublin, London dates to the 28th September, and Dublin to the 2d of October, are received. Their contents are only interesting as they confirm the probability of a rupture between Spain and Great Britain—of the invasion nothing is said of any consequence, neither of the expected war on the continent—such extracts as the interests of the hour at which they were received would admit, has been made and will be found under their proper head.

LONDON, September 27.

Bonaparte was at Mentz on the 14th. The elector of Hesse wished to compliment him by one of the noblemen of his court, but a hint was sent him that his personal attendance would be acceptable to the emperor.

In consequence of a message from Lord Harrowby, his majesty's secretary of state for foreign affairs, a committee, consisting of the following gentlemen engaged in the Spanish trade, waited upon his lordship yesterday.

Mr Bell, from the house of Reed and Parrinson.

Mr Macdonald, Billiter square. And

Mr Turnbull, chairman of the committee of merchants trading to the south of Europe; with some other considerable merchants in the Spanish trade.

Lord Harrowby informed them, that he had desired to see them upon the subject of our relations with Spain, in which they were so materially interested. His lordship acquainted them, "that there were certain negotiations, on important points, now pending between Spain and Great Britain, the issue of which was uncertain. Some explanations had also been required, as to the intention with which the armaments, now preparing in the ports of Spain, were to be fitted out; to which no satisfactory answer had hitherto been received.

"His lordship thought it necessary to make these communications, leaving it to the discretion of the gentlemen who were present to adopt that line of conduct for the regulation of their mercantile concerns, which they should think most advisable."

The committee entered into a long discussion with Lord Harrowby upon the subject of the conduct of Spain to this country, since the signature of the peace of Amiens. They dwelt more particularly upon the infraction of the 4th article of the definitive treaty of peace, which provides that "all the sequestrations laid on either side upon funds, revenues, and credits, of what nature soever they may be, belonging to any of the contracting powers, or to their citizens or subjects, shall be taken off immediately after the signature of the definitive treaty.

"The decision of all claims among the individuals of the respective nations for debts, property, effects, or rights, of any nature whatsoever, which should according to the received usage, and the law of nations, be preferred at the epoch of the peace, shall be referred to the competent tribunals; in those cases speedy and complete justice shall be done in the countries wherein the claims shall be respectively preferred."

Of this article, the committee urged that Spain had been guilty of a direct violation. We are not informed of the answer returned by Lord Harrowby upon this point; but had that been our sole grievance, it might have been inexpedient to have insisted upon the removal of it, during the continuance of the war with France. Undoubtedly the great grounds of complaint at present are, the armaments recently ordered in the Spanish ports, upon which no satisfactory explanation has been given—the supplies furnished to France—the treatment of Mr Frere, and the insulting conduct of the Prince of Peace. That any satisfactory explanation and apology will be afforded upon any of these points, we confess we do not entertain the slightest expectation. They seem to have been intended and adopted with a view to hostilities with this country. When the Spanish government ordered ships to be armed, they must have been prepared to expect a remonstrance from our court, and to suppose that nothing less would content us than disarming. Now we cannot imagine Spain to be so weak as to arm, with a determination to disarm, if any dissatisfaction should be expressed on our part.

We have as above stated, the result of the interview between Lord Harrowby and the merchants carrying on trade with Spain. We have now to state further, that the merchants have since waited on Chevalier de Arduaga, the Spanish ambassador, to ascertain, as far as could be consistent with propriety, his excellency's sentiments on the impending danger: and particularly to request, that he would favor them with an assurance, that ships laden with grain from this country for Spain, would be protected in the same manner as those loaded with wool from Spain were by our cruisers even in time of war. The conduct of his excellency evidently proved, that he not only wished to avoid an answer as the to questions of a public nature, but that he was fearful of saying any thing which might commit his authority, or implicate precipitately in any degree the interests of the two countries. His excellency however, went so far as to say, that to start a doubt on the subject, would be to suppose that the Spanish government were about to act on a subject diametrically opposite to that principle which has hitherto governed their intercourse with Great Britain. The merchants then urged the propriety of assurances from Chevalier Arduaga, in his ambassadorial capacity, that no sequestration of property would take place so far as regarded vessels laden with grain for the supply of Spain and that such vessels would experience the same protection as those now experience that brought wool from Spain to this country. His excellency still waved any direct answer or assurance; but when the merchants said that such instructions respecting the wool ships had been issued and sanctioned by the British government, and that they could produce such a paper for the satisfaction of his excellency, if he pleased, the Chevalier de Arduaga at first observed, that if they would favor him with a copy of the document now described, he would take the particular case which they represented into consideration. If, however, the Spanish ambassador has received no instructions from his court on this point, it is obvious that he cannot take upon himself to give any pledge—nay more—if the court of Spain itself has not received instructions from St. Cloud, no pledge can be given that may not be forfeited. Even an assurance from the two, united, would be no security. Do not the just claims of our merchants for property sequestered, during the late war, still remain unsatisfied, though stipulated for in the treaty of peace? Can we expect they can be more honorable when the country shall again be in a state of warfare?

On the subject of an armament it is reported that upon a question from our minister at Madrid, requesting an explanation of their object and destination, the Spanish government insolently answered by asking, in return, "what was the destination of the British naval and military arrangements in the Mediterranean?" It is also said, that our government have received certain information of another treaty concluded between France and Spain by which the former stipulates for the active assistance of the Spanish navy, in the prosecution of the war against England; and undertakes, in consideration thereof, to acknowledge his Catholic majesty Emperor of Spain, and to extend to his revolutionary empire by the annexation of Portugal. If these reports be founded in fact, we may pity the fate of Spain, but we must take care of ourselves—if true, Spain is completely melted down, and mixed in the revolutionary crucible with France. Their principles and views are one and indivisible, and it is idle, after such proceedings, to talk of the king or government of Spain. Bonaparte and his portable cabinet, whether at St. Cloud, Aix la Chapelle, or at Mentz, are the king and council of Madrid, equally the masters of the lives and property of the Spaniards, as of the Dutch and the French.

The sailing of the frigates from Plymouth on Saturday and Monday, was, we conjecture, with a view to hostilities with Spain. Orders have been sent to Falmouth to countermand till further orders the sailing of the Walsingham packet, which was in course of service with the mail of the 18th. We imagine too that the sailing of the vessels now loading at Hull for Lisbon, Oporto, Cadiz, Bilboa, &c. which were expected to sail from thence on the 4th of October, to join the general convoy at Plymouth on the 20th, will be deferred.

Policies were done yesterday to a very large amount, on the immediate probability of a Spanish war. Twenty-five guineas were given for the return of one hundred, if hostilities were commenced between Spain and Great Britain in the course of three months, yet, amidst these hostile appearances, it is still said that Mr Wellesley, who had been appointed to succeed Mr Frere, is continuing his preparations for his mission, and that there is every likelihood for his setting out for that court in the course of a few days.

A number of American seamen, it is said, have been induced to enter into the French service, in consequence of high bounties paid to them, but between whom and the natives much ill blood prevails.

The Virginia Gazette.

RICHMOND:

SATURDAY, DECEMBER 8, 1804.

To the SUBSCRIBERS to the VIRGINIA GAZETTE.

ALTHOUGH the expences attending the publication of a Newspaper are sufficiently obvious to all our readers; yet it is with the most painful regret, that the proprietor of the Virginia Gazette finds himself compelled to remind the majority of his subscribers, that the terms of their subscription have not been complied with, even so far as to enable him to defray the necessary expences of paper and print. As the year is now drawing to a close, and the period of arranging the accounts of the establishment, consequently approaching, he is induced to lay this candid statement before the public, hopeful, that oversight, and not wilful neglect, has been the cause of the unpunctual payments he has lately experienced.

It will be recollected, that five hundred subscribers are barely equivalent to the annual expences attending the publication of a paper, such as the Virginia Gazette; and although the proprietor is honored with nearly double that number, he would not complain, did only one half pay punctually, and the other half even in the course of two years. This, however, he is sorry to say, is not the case, (for many are in arrear from five to seven years) and were it not for the emolument arising from advertisements, the establishment of the Virginia Gazette would be a concern highly unprofitable.

The case of the Virginia Gazette is, however, only similar with that of most newspaper establishments, whose support arises from the country, and not from the town. From a perusal of the papers of other states, it will be perceived, that the publishers of other newspapers are in the same unfortunate situation with the publisher of the Virginia Gazette; and if another course be not pursued, it will be impossible that gentlemen residing in the country can be longer furnished with the useful and pleasing recreation of a newspaper. The proprietor flatters himself his subscribers will not force him to the disagreeable necessity of erasing their names; but that they will take the earliest opportunity of forwarding their subscriptions, and of enabling him to carry on the business in that style which it has hitherto maintained.

Yesterday arrived the ship Herman and Thuselda, captain Bossau, by whom we learn, that when he left Lisbon, (on the 17th Oct.) they were in hourly expectation of the confirmation of a war between England and Spain; as accounts received there were such, as made it appear inevitable.—(*Ph. Fr. Am. Dec. 1*)

Extract of a letter from a very intelligent gentleman to his friend in Boston, dated

"London, Sept. 26.

"In consequence of the unnatural conduct of Spain in furnishing France with money and in arming, for which no satisfactory explanation has been given, the government has this day advised the merchants trading with Spain to be cautious in their commercial speculations with that country.

"I was informed of this notice by one of the merchants who was at Lord Harrowby's office. Draw your own inference from it."

The following Bill was read in the House of Representatives of the United States on Friday the 26th ult. and made the order of the day for Monday.

A BILL.

To regulate the clearance of armed merchant vessels.

BE it enacted by the senate and house of representatives of the United States of America, in Congress assembled, That after due notice of this act at the several custom-houses, no merchant vessel armed or provided with the means of being armed at sea, shall receive a clearance, or be permitted to leave the port where she may be so armed or provided, without bond, with two sufficient sureties being given by the owner or owners, or by the master or commander, to the use of the United States, in a sum equal to double the value of said vessel, conditioned that such vessel shall not make or commit any depredation, outrage, unlawful assault or violence against the vessels, citizens, subjects or territory of any nation in amity with the United States; *provided*, that the regulations herein contained shall not be construed to extend to any vessels bound to any port or place in the Mediterranean, or beyond the Cape of Good Hope.

Sec. 2. *And be it further enacted*, That if any armed merchant vessel clearing for any port or place within the Mediterranean or beyond the Cape of Good Hope, shall make or commit any depredation, outrage, unlawful assault or violence as aforesaid, on her voyage to or from, or at any place to which she may be bound, such vessel with her arms and cargo, or the value thereof, shall be forfeited to the use of the United States.

Sec. 3. *And be it further enacted*, That on satisfactory evidence or information being given to the collector of any port, that any vessel within the same is armed or arming, or provided with the means of being armed at sea, for the purpose of committing any unlawful act as herein before expressed, or of carrying on by force of arms, any unlawful commerce, it shall be the duty of such collector to detain such vessel until the case be submitted to the President of the United States, who is hereby authorised to cause such vessel to be disarmed, or to order a clearance to be granted, as he shall judge proper.

Not true.—We are now enabled with confidence to offer the following contradictions, which we believe have been hitherto omitted even by the "official" detector of "Federal Misrepresentations."

It is not true—that Mr. Randolph brought an overseer with him to Washington, and that he has given every one of his myrmidons "*thirty-nine*" at the outset to train them for his congressional campaign.

It is not true—that it is yet decided, that Mr. M'Farland is to succeed to Mr. Jefferson's next presidency; nor that the president has yet publicly expressed his jealousy of Mr. M'Farland's "personal qualities."

It is not true—that Doctor Mitchill is preparing a treatise on *Prefish* sugar candy, 12 vols. quarto, to be bound in *calf*, and dedicated to the "Lord High Admiral of the Navy."

It is not true—that Mr. Lucas has resigned his seat in congress to set up an *English* school.

It is not true—that Mr. Alston and Mr. Sloan have fought a duel, that the latter was shot through the head and is in a fair way of recovery, and that he had agreed to mend the fracture in his upper story with a pane of window glass so as not to intercept his rear neighbour's view of the speaker.

It is not true—that Mr. Smilie and Mr. Bedinger are commissioned to "enquire into the *occupation* and *titles* of the *lead* mines in the district of Louisiana."

It is not true—that Mr. Cocke and Mr. Palmer are to be ministers plenipotentiary to "the Bey of Tunis"—"to calculate" the question for him of "peace or "war."

It is not true—that "Captain Lewis, a beloved man, one of my household," has written home that the Salt Mountain has suddenly disappeared, that it was taken into the Mammoth's maw; nor that the Mammoth, running into the Missouri, was swallowed by a Minnow, which was caught by a fishing girl and enclosed in a letter to the cabinet of Monticello.

It is not true—that General Smith of "*Murryland*," is to take immediate command of the squadron of "gun boats;" nor that the owner of the cornfield has impounded Noel as damage feasant.

It is not true—that our representative, Mr. Nelson, will be in any danger of risking his popularity by contracting the pride of *high* life before he returns from the city.

It is not true—but we really have not time now to deny all the rumours of this sort, which malice may invent or credulity propagate. As they come to our knowledge, they shall all be recounted, and promptly and candidly done away.— (*Fred. Te Herald*)

Extract of a letter from William Higgins, esq. dated Malta, 20th August, 1804, to Mr. Carsino, consul of the United States, at Gibraltar.

"I have a letter from commodore Preble of the 15th inst. He had made an attack on the Barbarians with his 6 gun and 2 mortar boats, against 21 large gun and several smaller boats, full of men. Three of the largest, carrying each a twenty-six brass gun, were taken, one sunk, and several others rendered useless for service. The commodore was meditating another attack."

CONGRESS.

HOUSE OF REPRESENTATIVES.

Tuesday, November 27.

Mr. Nelson would briefly state the case, and then he trusted his worthy friend would be of his opinion. They seemed to differ more about words than things. Manslaughter was a hasty killing upon a sudden affray: this, it is true, was never punished with death, either here or in England; but murder was a deliberate killing with malice prepense, and in case such killing takes place in demanding an offender from on board an armed vessel and murder ensues, surely the party ought to suffer the punishment of a murderer. The crime of murder is not defined in any of the United States statutes; neither in Maryland, nor perhaps in the laws of any state in the union. How then are we to come at the description of this offence, or distinguish it from manslaughter, but by a reference to the common and statute laws of England, from which we have borrowed all our legal definitions? Look into all the elementary writers on criminal law and you will find that the crime of murder is aggravated when a civil officer is killed in the execution of his civil duties by a person maliciously opposing the course of legal jurisdiction, and as a punishment he is deprived of life, as a person unworthy of being any longer a member of society, and the clause in the bill contemplates the apportionment of the punishment to this description of homicide, manslaughter, or murder: call it which you will, the effect is the same, and you must support your officers in the execution of their duty or your laws will be without support.

Mr. Early. The observation made by the gentleman from Maryland who has just sat down (Mr Nelson) struck my mind very forcibly as deserving serious consideration; upon turning to the law of 1789 for the government of our forts, arsenals, &c where the United States enjoy exclusive jurisdiction, I find that there is provision made as well for the case of murder as of manslaughter; now with a view to make our penal law correspond throughout, I would suggest to the gentleman engaged in the decision, whether it would not be as well to strike out all the words from "resisting" in the thirty-eighth line to the end of the period, and insert in their place the following, "and in case such killing amounts to murder, it shall be punished with death—and in case such killing is only manslaughter, then such offender shall be imprisoned not exceeding 3 years, and fined not exceeding 1000 dollars.

Mr. Rodney observed, that when a death ensues in the case mentioned by the bill it must be murder—In ordinary cases between man and man, and death ensues by killing it might be either murder or manslaughter. Where are we to resort for a meaning but as has been said, to the common law, as a known standard, uniform and invariable.—The decisions in the courts of the several states, and its laws on this head, may vary; but the common law describes each of these crimes with accuracy. The definition is founded on the fact. If I take a life by beating a man with a weapon that may naturally be expected to produce death, and death ensues, then my using such a weapon proves malice prepence, for it is an illegal weapon.—So if I resist an officer in the execution of his legal duty, and kill him in the resistance, it is also murder, for my resistance was illegal and implies malice. Then according to the language of this act, if death ensues, it is murder and not manslaughter. If a man strikes another upon a sudden heat, with a stick, upon the scull, and death ensues, it is manslaughter; but if he strikes with an iron crow-bar it is murder—the intention being inferred from the weapon. While Mr. R. urged the propriety of classing the present offence with murder, and consequently punishing its commission with death, he would not be understood as an advocate for that kind of punishment. On the contrary, he was desirous of ameliorating these severe punishments, and introducing a system that should reform the offender, and restore him, after repairing his offence to his family and his country; but this cannot at present be done; of course we must apply the rule of punishment as we find it to make it general and uniform.

Mr. Early. While he concurred in the general doctrine laid down by Mr. R. respecting the Common law, was not convinced that the manner in which they had been applied to this particular case was correct—It seemed to be Mr. R's opinion that no other offence than murder could be committed, if death ensued in resisting the officer; without seeking far, he would adduce one case where a resistance to death would amount only to homicide.

Suppose the marshall or sheriff does not conform himself in all things to the instructions of the President, or that he demeans himself improperly, and death ensues, will it be held that the resistance and its consequence amounts to murder. No certainly; but if he behaves properly, the killing is murder; hence this double provision is necessary to provide for the two cases,

Mr. Dana thought the embarrassment might be attributed to an attempt to combine in one section two different species of crimes, but it was exposed to objections which had not yet been made. The clause gives the marshal or sheriff the power to arrest the offender by force of arms, and then if the persons resisting kill your officer it is murder, and shall be punished accordingly. If, however, your officer and his armed force kill any of the offenders resisting, your process for it stands; if death enfues on either side, those who are concerned in support of the civil authority shall be justified—but those engaged in resisting shall be shot, or if not shot, and they are taken alive, then they shall be fined and imprisoned for manslaughter committed upon their party. He did not think the amendments proposed, take which you will of them, likely to remove the difficulty.

Mr. Nicholson said the case they were about to provide for was different from any other that could arise in civil society. It was deviling a punishment for persons who were armed with a species of power to resist a legalised force under their command, and though they are bound to submit to our laws yet they have others under their command who are bound to submit to them—An offender seeks protection from the effects of our offended laws on board an armed ship; he is sought by our officer, and the commanding officer regardless of his proper duty orders his sailors to defend themselves by refusing the process; in the struggle death ensues: now let it be asked are those seamen guilty of murder or manslaughter—The servant of a person invested with authority equal to that of a British officer and directed to do an illegal act, to kill a man for example, though it would be murder in the officer, yet it could be no more than manslaughter in the servant. The case is the same as it relates to the officer and crew; though the latter are not justified to do the act, yet they do not feel themselves justified to disobey their commander. When he was up before he had not clearly expressed himself for want of attending to the hearing of the whole bill. In England every man's house was his castle; no officer was authorised to break a house open except in cases of treason or felony, an officer attempting it might be killed, and it would amount only to manslaughter. The attempt here to take a man from on board an armed ship might be considered as attempting to break open a castle, and if death ensued it would be manslaughter—The bill however authorised the force, and cases might exist, in which the killing would be murder; other cases where the killing would be manslaughter only.

Mr Nelson objected to Mr. Early's amendment; because it left the denomination of the crime to the judge or jury, and how could they determine whether it was murder or manslaughter, but by the common law, as the United States had never yet defined either: If the case was defined and left to go to a jury upon the matter of fact, the objection would be in some degree obviated.

Mr Nicholson was sorry to see such a discussion had taken place. He would, in order to remove the difficulty, strike out all that relates to the punishment, and leave them to be dealt with according to law, when delivered over to the civil authority.

Mr R Griswold had two objections: First, that mentioned by his colleague. Where you authorise your sheriff or marshal to take an armed force, and as you justify these in case death enfues, and punish the others as murderers. The sheriff has only to order his men to fire and shoot some; then, for these deaths, you hang the rest. This is making short work, and giving no quarter. The other objection was on the ground of the constitution. He did not see that Congress had power to punish crimes committed against a state, or in its ports or harbours. The constitution expressly gave Congress power to define and punish crimes and piracies committed on the high seas; but not within a state's limits.

Mr Smilie observed a great deal of embarrassment had taken place on wording the section; that however was not to be wondered at, as the bill had only just been distributed; but the last objection, that it was unconstitutional, deserved very serious reflection; he should therefore move the committee to rise, with a view of giving time for consideration.

Mr. Nicholson had no objection to the committee rising; but he would not have it understood that he had any constitutional difficulties to struggle with. Congress had powers sufficient to enforce their revenue laws, and this very bill contemplates that, as one circumstance that may occur, and ought to be corrected—But whence did the gentleman (Mr R Griswold) acquire this timidity, this care for state rights? It is believed they have not stood in his way on former occasions, any more than they did in the way of those with whom he acted. In the case of the sedition bill, which trenched upon the state courts' jurisdiction, there was no squeamishness, the end justifying the means.

The committee rose, reported progress, and obtained leave to sit again.

Mr J Randolph called for the order of the day, on the report of the committee of ways and means, respecting the remission of duties on books imported for the use of colleges and seminaries of learning; the resolution declaring it to be expedient to allow the same.

The House taking the subject into consideration

Mr J Randolph observed that the constitution of the United States was a grant of limited powers for general objects, which Congress had no right to exceed, although they might think the powers too limited. This position he considered as of primary importance. Its leading feature was an abhorrence of exclusive privileges; it might be called the key to that instrument; every thing which rose up in the shape of privilege was repressed in a peculiar manner, whether it related to orders or classes of men. Whenever they have touched the doctrine of privilege the framers of that instrument, and the people of the United States adopting it, have been careful that nothing should be got by inference or construction—the privileges of this House even, have been precisely defined, and nothing is left for its extension, whatever may be the wishes or disposition of its members. The principle that this constitution is but a limited grant of power occurs, if not directly, yet frequently and effectually, so that it cannot be mistaken. On the privilege asked for, to permit colleges and universities to import their books free of impost, we refer to the 8th section of the 1st article, where it is declared that Congress shall have power to levy and collect taxes, duties, imposts and excises; but all duties, imposts and excises, shall be uniform throughout the United States.—The impost shall be uniform. It is a lamentable fact, but nevertheless it is a fact, and cannot be too much dwelt and insisted upon, nor too well known, that the ambiguity of language gives our constitution that character which leaves it in the power of civilians to say it means any thing or nothing. Whatever may have been said on other points; I think in this instance the language is so definite that it cannot possibly be mistaken. They shall be uniform, that is to say, there shall be but one quantum, one mode of collecting, and one manner; there shall not be two measures to meet with. If Congress undertake to exempt one class of people from the payment of the impost they may exempt others also. If they begin with colleges and universities for the advancement of learning, surely they may go on to exempt their own members: indeed it cannot be seen where they are to stop, having once overleaped the constitutional barrier and entered on the wide field of privilege. The duties must be uniform! nobody can be exempted, the President, if he chuses to import books, must pay the duty as well as any private citizen. In this country we have no privileged class, all must fare alike, every man must bend to the law, and the tax must be uniform whether on land or books.

Perhaps it may be said that the practice under the constitution has decided against my construction; for philosophical apparatus is exempted from duty when imported for the benefit of seminaries of learning. I agree that philosophical apparatus is exempted by law; but I believe that law to be an unconstitutional law, as well as some others passed by former congresses. But I do not wish to cast an odium upon its framers, more than they deserve; it might have passed through inadvertence or want of reflection—nay, it might have been the result of pure motives, the advancement of science and literature. Yet to show how intent the constitution is to guard against powers drawn by construction even to this very subject, which it must have been solicitous to have extended, it has limited the efforts of Congress to promote literature and the useful arts by any other means than that of granting to authors and discoverers the exclusive use of their inventions, and publishing their works—and congress have no power to promote the advancement of science or literature in any other than this particular way. If these observations are not received as reasons for the report of the committee, they will be considered as the justification of one of its members.

Mr. Findley observed, that in addition to the constitutional objections urged, he had others on the ground of expediency. The country colleges and seminaries, whose funds were small, had seldom or never an opportunity of importing books; they were happy to receive them in the country as donations, or by cheap editions; they would therefore receive no corresponding accommodation, and yet they were more useful and their use more universally felt, than those called higher institutions, which claim to be exempted from paying impost. There are only a few of the well endowed academies that can afford to procure foreign books, and when they have them, their circulation is extremely confined; to say nothing more, these reasons would engage me to support the resolution.

Mr. R. Griswold. The gentleman from Virginia (Mr. Randolph) must have misunderstood me when he supposed I objected to the report, because the committee had assigned no reason for the resolution—I mentioned the circumstance merely to show that we ought not then to decide. With respect to the constitutional objection he has set up, I acknowledge it is knew to me. Such an enquiry may be of great weight, but it does not appear so to me. The paragraph quoted from the 8th section of the 1st article, that congress shall have power to levy and collect taxes, has never struck me in the way it has that gentleman. The words are, *levy and collect taxes, duties, imposts and excises*; but it drops the word taxes, it being settled in another part of the constitution, and declares that duties, imposts and excises shall be uniform—The one speaks of direct taxes, the other of indirect—meaning that if an indirect tax is laid it shall be uniform. No one state is to have an excise laid upon its inhabitants unless it extends to the citizens of every other. One part is not to be excised, and another excused. This has always been the construction of that section of the constitution till the present moment, and I think it the true one. It is now said that congress can only promote science and literature in one way. Why, have not congress made grants of lands to promote those objects in the western country? They have. I believe the power of congress adequate to promote literature in the way applied for, and it has been frequently the case that even after duties have been paid into the treasury upon the uniform system, yet individuals have had those duties returned. I do not want to detain the house; but I am well persuaded that the constitution forms no impediment, and the expediency must be apparent.

Mr. J. Randolph believed the gentleman last up had misunderstood him. But it was not very material whether he was misunderstood or not, as Mr. G had not thought proper to answer him on the principal ground—namely, the constitutional objection. He however said something. Duties, imposts and excises shall be uniform. Can they be uniform when a particular class or corporation are exempt from their payment? This is a new kind of uniformity. It is a species of uniformity I do not understand. He asks, if you have not granted land and refused duties received into the treasury. Undoubtably you have. And we have the power, and in some instances the right to give away the money in our treasury to objects we think deserving. Has not all the dispositions gone upon the particular question of hardship; but tell me, do these individual cases, resting upon their own merits, class with a wholesale disposal of public money? Suppose you want to raise an exclusive privilege in favor of, let us say shoemakers, and let them import their materials free of duty; will you bring up as precedent or an authority, the case of Mr. Messonier, or any other person? Can such a case, standing singular and insulated, be held up to promote the doctrine of exclusive privilege for a corps of thousands? Of lands the United States have given general La Fayette some acres; they have given the like for schools in the wilderness country; they may give some to the gentleman from Connecticut; but would any of them contend for an exemption from paying half of the impost, when the sale was made on an uniform system, and would they ask for an exemption from the payment of the tax, if it was imposed? Mr. R. concluded by repeating the idea, that if you once step over the barrier, there is no security, and if you forgive or exempt the payment of the duties in one instance, congress may forgive every thing to their favorites, when they have any.

Mr. Dana made a reply to Mr. Findley; but it is so difficult to hear gentlemen across the floor, that the reporter dare seldom attempt to follow them. He considered Mr. F's objection as being formed upon the idea, that the books composing the libraries of colleges or universities were of the same kind as those used in country schools; few things were more dissimilar; the one was merely to initiate the pupil in the first principles; the other took a more extensive range, embracing the whole circle of science, the classic authors, and the best writers, ancient and modern—books scarcely ever to be found but in collections attached to literary institutions, and the revenue arising from them may be called a tax upon seminaries of learning.

Mr. J. Clay was one of the committee, and had agreed to the report; since reasons had been called for, he would in a few words assign those which influenced him. The gentleman from Connecticut (Mr. D.) mistakes in thinking that a denial to exempt books from impost is a tax on literary institutions, and therefore not uniform, as the constitution requires all imposts should be—but he did not make his stand on the ground of the constitution; he rested the question upon its expediency.——Giving literary institutions the priviledge of exemption from imposts would open a wide door for fraud—we should soon have them importing books for sale duty free, rivalling the booksellers, who are subjected to the payment of impost, and vending them in every street and avenue of the nation. But why privilege colleges and universities to accommodate the rich; for we may believe that the rich and the children of the rich are the only persons who have access to these collections? The poor have little leisure and less opportunity to improve the advantage which even neighborhood would give them to peruse works of the kind alluded to, and surely it would be tho't unjust to tax their pittance of imported articles, and in order to enable gentlemen to read the classic authors or the sublime and beautiful of the modern writers.

Mr. Findley spoke of colleges, not of universities. We have three in Pennsylvania, one of which, to be sure, has also the title of university, but two of them have not funds to import books on their own account: it is only rich institutions that have this advantage—the poorer class of seminaries buy of booksellers, and pay them the impost as well as their retail profit. Indeed this remission of duties will rather tend to create disgust than give satisfaction; and those seminaries which have large collections of books would be induced to sell them at their present price in order to procure new ones cheaper, as they have had to pay the duty on the former, but would have none to pay upon those they should hereafter import.

The question being called for—it was put on agreeing to the report of the committee of the whole, that it is inexpedient to remit the duty on books, and carried in the affirmative, 79 members voting in the affirmative.

Adjourned.

Wednesday, November 28.

The engrossed bill for making further appropriation for the contingent fund was signed by the Speaker.

The petition of Henry M'Farland of the 1st regiment of the United States levies who was wounded in Gen. St. Clair's affair with the Indians of the 4th November, 1799, praying to be provided for, was referred to the committee of Claims.

Mr. Nelson presented a petition from John Baynton, praying a compensation for sundries supplied to a command under Lieutenant Elliot in Calvert county, Maryland, to the amount of 55 dollars and 57 cents in the year 1799, referred to the committee of Claims.

A reference was made of the petition of sundry gun makers, presented at last session to the committee of Commerce and Manufactures.

A message from the President, informing that he had acted upon the joint resolution in favor of Captain Decatur, officers and crew.

The bill authorising the inhabitants of George-Town to erect a dam, or causeway from Mason's Island to the Virginia shore was considered in committee of the whole, and after a lengthy discussion the committee reported to the House that they had not had time to go through the same, but asked leave to sit again, which was indulged by the House.

Adjourned.

Thursday, November 29.

Mr. J. Clay presented a representation and memorial signed by 237 American citizens settled in Louisiana, expressing their satisfaction on the arrangements made in that country as to its government. Referred to the committee on that part of the President's message relative to the amelioration of the government of Louisiana.

The petition of ——— and others, respecting the Yazoo lands, was presented by General Varnum, and referred to a committee of five.

The house then resolved itself into a committee of the whole, General Varnum in the chair, on the bill restraining merchant vessels from arming and forcing a trade to St. Domingo, sundry amendments were made and reported to the house—but finally the bill was re-committed to a committee of the whole for Wednesday next.

Mr. Nelson presented a petition from Mordecai Lane, an old revolutionary soldier, praying to be provided for on the pension list. Referred to the committee of claims.

On motion of Mr. J. Randolph, all the papers of last session relating to the Yazoo lands were ordered to be printed. A singular circumstance gave rise to this motion.—The papers on this subject, he observed, were *cut out* of the books of documents which are preserved for the use of the house.

Mr. S. G. Ogden, the owner of the ship Indostan, had leave to withdraw his petition for a new register.

Tuesday, November 27.

Mr. Richards from the joint committee of inrolment, made a report that the joint resolution of the two houses in relation to Captain Decatur, his officers and crew, was found upon examination to be correct.

Mr. Hoge a new member from Pennsylvania appeared in the House and having taken the oath to support the Constitution, took his seat accordingly.

The engrossed bill declaring the assent of Congress to the act of North-Carolina relating to lands in Tennessee, was read the third time passed and signed by Mr. Speaker.

On motion of Mr. Nicholson the committee of the whole on the bill for preserving peace in the ports and harbours of the United States and the waters within the jurisdiction was discharged, and the bill was recommitted to the committee that reported the same.

The petition of John Devoe who served in the Militia of New Jersey during the war, and who was wounded near fort Lee in 1776, praying to be put on the pension list was referred to the committee of Claims.

Mr. R. Griswold presented the petition of Daniel Eldridge, who was wounded in the attack at Groton, he is distressed and disabled also, referred to the same committee.

Mr Crowninshield from the committee of Commerce and Manufactures reported in favor of allowing a drawback on goods exported from the United States to that port, when re-exported to a foreign country, with a bill intended for that purpose. Referred to the committee of the whole on Friday, and in the mean time ordered to be printed.

The House proceeded to ballot for a Chaplain in the stead of the Rev. Mr. Bentley resigned. On counting the votes and a majority not being found in favor of any one candidate, the House went into a second ballot and the result was that the Rev. Mr. Parkinson was chosen having 64 votes.

Mr. J. Randolph reported from the committee of ways and means, a bill making further appropriation for the contingent fund of the house, for the current year, and a partial appropriation for the year 1805, which was read twice, went through a committee of the whole, and was ordered to be engrossed for a third reading to-morrow.

Mr. J Lewis, from the committee on the George town petition, praying to be authorised to erect a a dam or causeway from Mason's Island to the west side of the Potomak, reported a bill in conformity thereto, which was read a first and second time, and ordered to a committee of the whole to-morrow, and that it be printed.

Mr. J. Lewis also reported a bill to incorporate the Washington Building and Fire Company, which was twice read, and referred to a committee of the whole on Friday next, and ordered to be printed.

Adjourned.

Friday, November 30.

Dr. Leib presented a petition and remonstrance from a number of the citizens of Washington county, state of Pennsylvania, against the election of John Hoge, recently returned as a member to this House. Referred to the committee of Elections.

A message from the President of the United States, covering the treaties with the Delaware and Pehankishaw Indians, recommending provision to be made by law for carrying the same into execution.

Referred to the committee of Ways and Means.

A letter from the Reverend Mr. Parkinson to the Speaker, declining to accept the office of Chaplain to the House was read and laid on the table.

Mr. Nicholson from the committee on that subject reported a new bill, for preserving peace in the ports and harbors in the United States, and waters under their jurisdiction. Referred to a committee of the whole on Monday next, and in the mean time ordered to be printed.

General Varnum presented a petition and memorial from the agents of the company and others on the Yazoo claim. Referred to the committee already raised on that subject.

Mr. Crowninshield called for the order of the day on the bill allowing a drawback on goods exported from New-Orleans, &c. and the same went through the committee of the whole (Mr. J. C. Smith in the chair) The bill was afterwards ordered to be engrossed for a third reading.

The order of the day on the bill to regulate the clearing of armed merchant vessels was called for, but upon the request of Mr. Nicholson, who stated the subject to be one of the highest importance now before the House, and wished a little more time to consider the same; it was further postponed till Monday next.

On motion of Mr. Claiborne the House proceeded to ballot for a Chaplain in lieu of Mr. Parkinson resigned; and the Rev. J. Lawrie was elected.

Mr. J. Randolph from the committee appointed on the 6th inst. reported articles of impeachment against judge Chase. They were nearly the same as reported at the last session except the 5th and 6th articles, which are new ones.

Mr. J. R moved to refer them to a committee of the whole on Monday next.

Mr. Elliot rose to move a more distant day, and to assign his reasons for the motion. It had been to him a subject of considerable regret that the present report had been so long delayed, and he had repeatedly examined his own mind to imagine reasons for the delay. Twenty-four days ago the gentleman who now presented the report, announced to the House his conviction that all the time which our political existence would allow should be given to the person accused for the purpose of making his defence; and he moved a recommitment of the report of the last session for the purpose of alteration or amendment. A solution of the difficulties which have occupied my mind upon this subject, said Mr. E. may perhaps be found in the report itself. If I understand it, it embraces accusations, the evidence of which repose in the breasts of the committee alone, as it has never been exhibited to the House. This cause of proceeding may be parliamentary and proper, but it strikes my mind as possessing a very different character. At the last session a voluminous body of evidence was reported, upon which the house decided the general question of impeachment. The committee appointed to prepare and report articles of impeachment, possess not the powers of a committee of enquiry; the enquiry is already at an end; they are only to reduce to form the decision of the house upon the evidence before them; and if they have proceeded to make a new enquiry, to obtain new evidence, and report new articles thereon, they have wandered beyond the limits of their duty. Nor I am furnished with that intuitive knowledge of right and wrong in cases of this kind, which would be necessary to enable me to decide almost instantly upon a question of such magnitude. While it is our duty to grant a reasonable time to the person accused to make his defence, it is indispensably necessary to proceed not only with deliberation but with caution. He concluded by moving that the report be made the order for Thursday next.

The question was taken on Thursday as the most distant day, and lost—40 voting for, and 68 against it.

Wednesday was next tried, and lost.

It was then ordered for Monday, and in the mean time to be printed.

On motion of Gen. Varnum, a committee of five was appointed to revise the rules and regulations for the government of the army of the United States with leave to report by bill.

Mr. Morrow presented the memorial of Return Jonathan Meigs, praying to be allowed the salary claimed to be due to him as one of the late judges of the North Western Territory—Ordered to be referred to the committee of claims.

Mr. Morrow presented a petition from James M'Pherson, who had been a long time prisoner with the Indians, praying congress to confirm a grant of lands made to him by the chiefs of the nation where he resided.

Referred to the committee of claims.

Mr. Dawson presented the petition of Mary Gresham, widow of Joseph Gresham, praying the liquidation of a claim for services as a soldier in the Virginia line of our revolutionary army—referred to the committee of claims.

Adjourned.

BALTIMORE, December 3.

We have disagreeable reports, by way of Philadelphia from our squadron in the Mediterranean; the general import of which is, that in a second attack upon Tripoli by the American gun-boats, considerable advantage was gained by the Tripolitns. Particulars will probably be received by to-morrow's mail.

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William Duane, esq. "the key of the cabinet," or the self styled organ of the public will, honored our city, we learn, with a momentary halt on Saturday, on his way to the seat of government. He condescended to impart what is supposed to be a cabinet secret to some of his blabbing confidants, with respect to the impeachment of Judge Chase, and assured them that no exertions had been spared on the part of the administration minions to have the trial of the judge brought to issue on Monday next.

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Extract of a letter from the city of Washington to a gentleman in this city, dated Friday, November 30, 1804.

"I was in the house of representatives yesterday when a report by the select committee, to whom were referred the articles of impeachment against judge Chase, was read. I listened with great attention, and think all the OLD articles remain, with some alterations, with two additional articles—one to the effect, "That by the laws of Virginia no person could be arrested in the first instance on any charge less than *felony*, and that judge Chase had directed a *capias* to issue against Callender, charged with a *misdemeanor* only, instead of a *summons*."

"The other article, in substance, was, "That by an act of the assembly of Virginia, no person could be brought to trial the *same* term at which the indictment is found against him; and that judge Chase had compelled Callender to trial, contrary to the provisions of this law." Mr. Randolph moved that Monday next should be assigned to take the said report into consideration. Mr. Elliot (of Vermont) proposed Thursday next, and was overruled. Mr. Campbell (of Tennessee) proposed Wednesday, which was rejected; and Monday was carried by a majority of 63 to 40. The select committee took above *twenty* days to consider the *old* articles and to frame *two* new ones; and the house refused more than three days (Sunday included) to its own members—this precipitancy cannot escape observation. Good reasons may be given for it, although none were mentioned in public. Veteran and well disciplined troops are always ready for action, and it is lawful, in war, to surprise and take all advantages of an enemy. Besides, the business is *urgent* and *necessary*, and will admit of no delay.

"It is well known that Mr. Giles, when in the house of representatives, publicly declared that he would impeach judge Chase for directing Callender to be arrested by a bench warrant, & not by a summons. His elevation to a seat in the senate enables him to support this cause of impeachment; and as a judge, to support it by his vote. His having *prejudged* the case is no evidence of prejudice or partiality in a *judge*; although I have heard that it is a good cause of objection to a *juror*.

"When the *second* new article of impeachment was read, a gentleman standing by me (a Virginian) observed, that there was a law of Virginia that no person, accused of any crime less than *felony*, could be forced to trial the *first* court. To this observation I remarked, that it was possible judge Chase might have been ignorant of such a law, or he might not have considered himself bound by it; and that I did not remember that in the evidence reported, the counsel for Callender had made such objection. I was immediately answered, that it was a maxim of law, that ignorance of the law excused no *man*, and certainly not a *judge*. I found I had been conversing with a lawyer, and therefore made no reply. On reflection it seemed to me that even a federal judge might be ignorant of an act of a state legislature, and that though ignorance might not excuse him for the commission of a crime, yet it would be unjust and cruel to presume that judge Chase acted partially or corruptly, although he might have acted *illegally*. If a judge should act contrary to law, is it fair to infer, that he therefore acted corruptly and ought to be punished?

"It also occurred to me that Judge Griffin ought to have been impeached for disregarding a law of Virginia, of which he could not have been ignorant. I also recollected, that it appeared by the evidence reported by the committee, that Judge Griffin agreed with Judge Chase in rejecting the request of Mr. Basset not to serve on Callander's jury—and also in refusing to postpone his trial to the next term—and also in rejecting the evidence of Col. John Taylor. Why is Judge Chase impeached for all these acts and not a word said against Judge Griffin? But an experienced huntsman always singles out the largest and fattest buck of all the herd, as the first victim of his skill.

"On Thursday last, on motion of Mr. Giles, in the Senate, a committee of *five* was appointed, to prepare and report proper rules of proceeding to be observed by the Senate in cases of impeachment; and the following gentlemen were appointed: Mr. Giles, Mr. Baldwin, Mr. Breckenridge, Mr. Stone, and Mr. Israel Smith. No time is to be lost, to be ready for the expected impeachment; and the rules adopted at the last session, in the impeachment of Judge Pickering, are not deemed sufficient and extensive enough for the trial of Judge Chase."

NORFOLK, November 28.

The readers of the Congressional proceedings will have observed how early, how eargerly, and with what an appearance of candour, our *fellow-citizen* RANDOLPH has commenced his attack on Judge CHASE. We have little doubt of his succeeding to his hearts content. Unless the Senate of the United States display a greater share of political independence than has actuated the movers of this impeachment, the trial will be all a mere mockery.—It appears that Mr. Randolph failed in his first point, that of having the whole Business taken up by a special committee *de novo*. The object of this was not occult. In the last days of the last session Judge Chase was *impeached* at the bar of the Senate; articles of impeachment were presented to the House of Representatives by its committee, and the decision on them postponed until the meeting of this session. Of this the Judge very justly complained, in a memorial intended to have been presented to Congress, and afterwards published, as an antidote to the poison contained in the report of the committee, permitted by the house to be made public.

However, as Judge Chase had every reason to suppose that the articles of impeachment, thus reported and published by the House of Representatives, would be those against which he would have to justify himself, his attention, in the interval, has doubtless been directed to those points which they embrace, and to the manner in which they are arranged and brought forward.—To defeat, or render, as far as possible, nugatory, the exertions which the Judge may have made in this recess, was doubtless the intention of this heroic champion of his party, in moving for a committee to prepare, a-new, articles of impeachment against Judge Chase. The discussion which the former articles have undergone in the public prints, has shewn to their advocates and authors, that they are liable to many weighty objections, which the most pliant consciences of party will not be able to overcome without many struggles.

Our papers by the ship Echo are not later than the 17th September, and do not contain any thing of moment. The government has suppressed the ARGUS a paper published in the English language at Paris.

Richmond Temporary Theatre.

This Evening, Saturday, December 8th, 1804, will be presented, the Comic Opera of

INKLE *and* YARICO;

OR, THE

AMERICAN HEROINE.

Inkle—Mr. Poe.
Sir Christopher Curry—Mr. Green.
Campley—Mr. Downie.
Medium—Mr. Comer.
Mate—Mr. West.
Planters—Messrs. Martin & Briers.
Trudge—Mr. Hopkins.

Yarico—Mrs. Green.
Narcissa—Mrs. Hopkins.
Patty—Mrs. Downie.
Wowski—Miss Mefford.

To which will be added, *for the first time in this Theatre,*
A FARCE CALL'D

RAISING THE WIND.

Plainway—Mr. Comer.
Fainwould—Mr. Downie.
Didler—Mr. Green.
Richard—Mr. Poe.
Sam—Mr. Hopkins.
Waiter—Mr. Briers.
Servant—Mr. Martin.

Miss Durable—Mrs. Downie.
Miss Peggy Plainway—Mrs. Hopkins.

☞ *Doors to be opened at half past 5—and performance to begin at half past 6 precisely.*

ADMITTANCE—*ONE DOLLAR.*

*** *Tickets to be had at Mr. Davis's Printing Office; at Mr. Pritchard's Book-Store, and at the Office of the Theatre.*

NEIL M'COULL,

HAS received his FALL SUPPLY of *DRY GOODS.* ep

Richmond, 12th Nov. 1804.

SUWARROW BOOT LEGS.

For sale, WHOLESALE & RETAIL, *a handsome assortment of*

CALF, §SEAL, and
CORDOVAN, §MOROCCO LEGS,

At the subscriber's Suwarrow Boot Leg Manufactory, No. 38, Vandewater street, New York.

[ep2m] JOHN GRAINGER.

Mr. Stewart's Lyceum,

WILL be opened in the Capitol on Sunday evening next, at 7 o'clock precisely, and will thus be continued every Tuesday, Thursday and Sunday, till their termination.

ENTRANCE—HALF A DOLLAR.

☞ The subject will be, an introductory DISCOURSE to exhibit the intellectual state of Nations over all the globe, and to explain the plan, conduct and object of the Lyceum.

This new and important School of Philosophy was intended to have been held *gratis*; but the author having lost all his property in the French fund, is obliged to make it the means of his subsistence.

*** *Ladies and Gentlemen are requested to bring change.*

December 8, 1804.

SALES AT AUCTION.

Will be Sold by the subscribers, at the late dwelling-house of D. M. Randolph, Esq on Friday the 14th inst. a variety of valuable Household and Kitchen

FURNITURE;

AMONG which are, some fashionable and substantial Plate, lately imported; mahogany tables, side board and bason stands of superior quality; a well assorted collection of the most useful kitchen furniture; sets and parts of sets of table and tea China, &c. &c. &c.

Terms of sale—Cash for all sums of 50 dollars and under; over that sum, a credit of 60 and 120 days will be given. The sale will commence at twelve o'clock. In the mean time, ladies and gentlemen are respectfully invited to view the articles; in expectation of which, attendance by the proprietor will be given every morning until 11 o'clock.

THOMAS TAYLOR & Co.
Auctioneers.

December 5, 1804. eptds

ADVERTISEMENT.

To be Sold to the highest bidder, on Thursday the 20th day of December next, at twelve months credit, the noted

PLANTATION,

for raising Indian Corn, that belongs to the estate of Thomas Cowles, dec. of James City county,

CONTAINING 424 acres, more or less, lying on the stage road from Williamsburg to Richmond, and eleven miles from Williamsburg—as healthy a place as perhaps is to be found in the lower part of the country—It abounds with excellent springs of water; a dwelling house on it, with four rooms below. At the same time and upon the same terms, will be sold, 14 NEGROES, several Feather BEDS, and other Household FURNITURE, too tedious to mention. Bonds with approved security, will be required, carrying interest from the day of sale, if not punctually paid.

BY THE EXECUTOR.

N. B. The sale will be on the above plantation.

December 7.

DOCTOR WILSON,

HAS taken (as a temporary residence) the house lately occupied by Doctor Adams, opposite the Bell Tavern, and intends to combine the Apothecaries business with the practice of Physic. He is now opening a part, and expects by the next arrivals from Philadelphia, the balance of a fresh and very general assortment of Medicines, and other articles in the Apothecaries line, which will be sold on the lowest terms. Orders from the Country, Recipes, &c. will be carefully attend to.

Richmond, June 25th, 1804. tawfm.

BLOCK & JUDAH,

Have received a General Assortment of
FALL & WINTER
GOODS;

WHICH they are now selling at their usual low prices, for cash or produce.
Among which are—

Superfine and coarse Cloths,
Cassimeres, Swansdowns and Tolinets,
Fancy Cardinal Veveets,
Coatings; Rose and Duffil Blankets,
Silk, cotton and worsted Hose,
Silk, kid and cotton Gloves,
Bandanna and Romal Handkerchiefs, &c. &c.

Nov. 18, 1804.

JOHN HENRY,

HAS imported in the ship LATONA, captain Thurston, from Liverpool, a few small bales of well assorted

IRISH LINEN,

purchased in Dublin in July; which, with fine old London particular

MADEIRA WINE,

in pipes and half pipes, he offers for sale on moderate terms. Richmond, 30th October, 1804.

The Subscribers have for Sale,

GERMAN Osnaburgs, by the bale or piece,
Liverpool Table China, in setts, for families,
London Particular Madeira, and
London Particular Teneriffe } *Wines, by the pipe.*

PICKETT, POLLARD & JOHNSTON.

Richmond, Nov. 22, 1804.

NOTICE.

ALL persons having claims against the estate of JACOB WHEATON, deceased, are desired to bring them forward immediately; and all those indebted to the said decedent, are requested to make payment, without delay, to

WM. COOK, Ex'or.

Richmond, Nov. 13, 1804.

DANCING.

MR. *James Warrell* respectfully acquaints his friends and patrons, that his Dancing Academy will open on Thursday, the 7th of December, at the house at present occupied by Mr. Jones, as the loan office, nearly opposite the Swan Tavern, on Shockoe Hill.

Nov. 17.

FAMILY FLOUR.

A CONSTANT supply of FLOUR, of a superior quality, for family use kept for sale by

GEORGE WATT.

Richmond, March 5, 1804. tf.

The Subscriber has opened a

Broker's Office,

OPPOSITE the Union Tavern and over the counting house of Messrs. Thomas & Amos Ladd. All business confided to him will be transacted with strict fidelity.

THOMAS NORVELL,

Richmond, October 1, 1804. tf

FALL GOODS.

William Temple,

Has received by the ship Edward and Charles from London
AN EXTENSIVE ASSORTMENT OF

GOODS,

Suitable to the approaching season.

HE expects an additional supply, to complete an assortment, by the ship Sally, from London, and Latona from Liverpool, which he will dispose of on his usual low terms.

Richmond, Sept. 7th, 1804. tf

GILLIAT & KIRBY,

HAVE JUST RECEIVED,
By the brig Edward and Charles, from London,
A CHOICE AND ELEGANT ASSORTMENT OF
FALL & WINTER

GOODS,

Suitable to the ensuing season.

THEY expect a further supply by the first arrivals from London and Liverpool, to complete their assortment—which will be disposed of at their usual low terms, for Cash or Country Produce.

Sept. 11.

On Tuesday the 11th day of next month, the subscribers, as acting executors of GEORGE NICOLSON, dec. will expose to sale, at Auction,

FOUR LOTS OF GROUND,

OF one acre each, (more or less) lying on the Church Hill, near Mr. William Marshall's. The sale will be made in the forenoon, on the premises—and at the same time and place will be sold,

Two small tracts of Land,

lying in Henrico county, about 4 miles from the city of Richmond—one of them containing 50 acres, more or less, and adjoins the land of Robert Craddock—the other tract contains 17 acres, more or less. These lots and lands belong to the estate of George Nicolson, dec.—although the legal estate in the lots is in Mr. William Marshall, who will convey them to purchasers. Twelve months credit will be allowed, on giving bond with approved security to

THOMAS NICOLSON, AND
ANDREW NICOLSON.

Richmond, Nov. 22, 1804 eptds.

By virtue of a deed of trust, executed to us the subscribers, for the purpose of securing the payment of a debt due from John Evans to John Tinsley, will be sold at public auction, for cash, at John Napier's Tavern, in the town of Columbia and county of Fluvanna, on the 29th day of December next,

4 likely Negro Slaves,

OR so many thereof as will raise the sum of one hundred and seventy-eight pounds two shillings and nine pence three farthings, with interest from the 29th day of December last till paid, and the cost and expences of the said deed.

JOHN QUARLES
AND
DAVID JOHNSON, } Trustees.

Fluvanna, November 28, 1804.

NOTICE.

ALL persons indebted to the late firm of *Buchanan, Dunlop & Co.* of Petersburg, *Robert Pollock & Co.* of Richmond, and *Dunlop, Pollock & Co.* of Manchester, are hereby notified, that JAMES DUNLOP, late a partner in the above concerns, has become purchaser of all the outstanding debts: They will therefore be pleased to make payment to Mr. JOHN TOMPKINS, residing in Richmond, or the subscriber, residing in Petersburg—who alone are authorised to make collections, and grant discharges. Suits will be indiscriminately commenced against all who do not make payment before the 1st February next.

JOHN DUNLOP,
Attorney for JAMES DUNLOP.

Petersburg, Nov. 15, 1804. tf

Ten Dollars Reward.

RUN AWAY from the subscriber, on the night of the 15th instant, a Negro Boy, by the name of *JACK*, about 13 years old; his complexion very black; and when spoken to sharply, is apt to stammer.—He formerly belonged to the estate of Mr. Lewis Burwell, dec. from whose estate I purchased him.—His cloathing was a short black broad cloth jacket, corduroy breeches, with shoes and stockings. It is supposed he is lurking about Richmond, or in King William county, where his relations live. Whoever will deliver the said boy to me living in Manchester, or secure him in any jail, so that I get him again, shall receive the above reward.

All masters of vessels are forewarned from carrying the said boy out of the state, under the penalty of the law.

DAVID PATTESON, Jun.

November 27th, 1804.

NOTICE

Is hereby given, to the creditors of JAMES THOMPSON, *against whom a commission of Bankruptcy has been issued according to law,*

THAT the commissioners and assignees of his estate, will meet at their office, in the city of Richmond, on Wednesday the 2d day of January next, at 11 o'clock A. M. in order to make a dividend of his estate and effects; when those creditors who have not proved their debts, must come prepared, or they will be excluded the benefit of said dividend.

SAMUEL MYERS,
WILLIAM M'KENZIE, } Assignees.

Richmond, 27th Nov. 1804. 42Jan.

THE SUBSCRIBER,

INTENDING to close all his former transactions with the termination of the present year, requests all those who have demands against him, either by bond, note or open account, to leave with Mr. *Samuel Jones*, at the Toll-Bridge, a memorandum of the nature of their claims and the amount, in order that directions may be given for the speedy payment of them. It is hoped this notice will be attended to by all who are concerned, as it will be plead in bar to claims which may at a future distant day be exhibited against him or his estate.

JOHN MAYO.

Richmond, November 25th, 1804. 3w

ADVERTISEMENT.

TO BE SOLD, at Public Auction, at the place formerly known by the name of the Palace, in the city of Williamsburg, on Thursday the 10th day of January, 1805, if fair, if not, the next fair day,

A NUMBER of very valuable and likely SLAVES, and other personal estate of the reverend Samuel Smith M'Croskey, dec. among which are a very valuable collection of BOOKS, and a single CHAIR and HARNESS, and all the stocks of CATTLE, SHEEP, and HORSES, and Farming Utensils belonging to the farm, and the crops of GRAIN, HAY, and FODDER, thereon made—some Household Linen, and other articles.

A credit of six months will be given to all who purchase above the value of Twenty Dollars—the purchasers giving bond with approved security, to carry interest from the date—but if punctually paid, the interest will be remitted. Ready money will be required for all purchases not exceeding twenty dollars.

ELIZABETH M'CROSKEY, *Executrix.*

Williamsburg, November 23th, 1804. tds

PETER BELLETT,

NURSERY & SEEDSMAN,
At Williamsburg, intending to remove to the state of New York, offers for sale his

NURSERY,

CONTAINING 20 acres of rich manured Land, with about 100,000 Trees, of which 25,000, consisting as follows, are fit to be transplanted this season:—

44 sorts of Apples, at 6d per Tree.
44 ditto of Pears, at 1s6 each.
30 ditto of Peach, at 9d to 1s6 each.
10 ditto of Nectarine, 1s to 1s6 each.
10 ditto of Apricot, 1s6 to 2s each.
3 ditto of Quince, 1s6 to 2s6 each.
12 ditto of Cherries, 2s to 4s6 each.
18 ditto of Plums, 1s6 to 2s each.
4 ditto of Almond, 3s each.
5 ditto of Mulberries, 1s6 to 4s6 each.
2 ditto of Figs, 1s6 each.
7 ditto of Raspberry Bushes.

Lombardy and Balsam Poplars, Currants, Gooseberries and Strawberries, of sorts; Grape Vines, of sorts; Artichokes and Asparagus Roots, together with a variety of Flowering Shrubs, Flower Roots and Seeds, and Rose Bushes, and a small quantity of Garden Seeds, of this year's growth.

Also—may be had with the Nursery, 8 NEGROES, 3 of which are well acquainted with Gardening and Nursery work. *Also*—3 HORSES, 3 STEERS, 4 COWS, and the Nursery and Farming UTENSILS—which, if not sold by the first day of May next, will be set up at Public Sale on that day—until which time, he will continue to sell TREES, &c. &c. &c. on lower terms than usual.

☞ Orders left with Mr. George Greenhow, at Richmond, and Messrs. John and Samuel Peniston, at Petersburg, will be duly attended to with dispatch.

Williamsburg, 20th November, 1804. ep1m.

BURR & HAMILTON.

Is now opened at Mr. Hallam's Washington Tavern,
A NEW COLLECTION OF

WAX FIGURES,

SUPERIOR to any in America; among which are a striking Likeness and Representation of the late unfortunate DUEL fought between Col. *Aaron Burr*, Vice-President of the United States, and General *Alexander Hamilton*, wherein Gen. Hamilton is supported by his second after receiving the mortal wound, while Col. Burr is led from the field by his second—a striking Representation of the place where the Duel was fought, upon Scenery, which adds much to this interesting Representation, &c.—and a number of selected FIGURES, chosen from the best selections in America.

☞ *MUSIC on an elegant ORGAN.*

Admittance—50 Cents for the first admission—and no person is admitted the second, without paying half price—25 Cents.

The Subscriber

HAS FOR SALE,

HOLLAND Gin, in pipes; Malaga Wine, in quarter casks; Cotton and Wool Cards, in boxes; Chocolate, per box; White Lead, Spanish Brown, and Yellow Ochre, ground in oil; Nutmegs; Patent Shot; Bar and Sheet Lead; Mould Candles; Writing and Wrapping Paper; Country and Swedish Iron; Sheet ditto; Liver Oil; Copperas; Allum; Flaxseed; Indigo; Refined Salt Petre; Ground Ginger; Pepper; 20d, 12d, 10d and 8d Nails and Brads; German and Blister'd Steel; Cart Boxes; Straws of Tumblers; assortment of Shoes; hhds. and bbl. Gauging Rods; Hamilton's Snuff; Nail Rods; Short Pipes.

HENRY HOVEY

September 25.

SALE AT AUCTION.

Will be sold, at Public Auction, for ready money, on Wednesday the 19th of December next,

The HOUSE and LOT,

NEAR the mouth of Shockoe Creek, at present occupied by Benjamin James Harris, and commonly called the Shot Factory.—The title papers may be seen by applying to

THO's. TAYLOR & Co. v. m.

November 21st, 1804.

To Rent,

And possession given immediately,

A CONVENIENT and pleasantly situated DWELLING-HOUSE, with two Kitchens and Smoke-House, on the street leading from Shockoe Creek to the Canal Basin, and adjoining the lot and dwelling-house of Mr. William Mitchell.

Also, to rent, two BRICK TENEMENTS, on the street leading to Col. Mayo's Bridge, which will be very convenient for wholesale and commission merchants. Possession of these two Tenements will be given when finished, which is supposed will be in all next month. The terms will be made known by

JAMES INNES.

Richmond, June 7th, 1804.

The Subscribers,

Having rented a convenient Lumber House on the Canal Basin, offer their services, under the firm of

C. & T. SAUNDERS,

TO receive all kinds of PRODUCE on STORAGE, and to dispose of on Commission, to which strict attention and punctuality will be observed.

Chancelor Saunders.
Tarlton Saunders.

Richmond, Oct. 8, 1804. oawam

Fall and Fashionable Goods.

ROBERT JOHNSTON,

IS now opening a general and well selected Assortment of FALL and FASHIONABLE

GOODS,

Which he will sell on moderate terms for Cash, Produce, or at a short credit, by WHOLESALE or RETAIL:

Among which are:

Superfine & coarse Cloths,
Cassimeres & Coatings,
Manchester & parent Cords,
Swansdowns and Flannels,
Rose, point and duffil Blankets,
Ladies Morocco Caps,
Ladies Shoes and Slippers,
Steel Backboards & Collars,
Oil Cloths and Oil Stones,
Irish Linens and Brown Hollands,
Russia and Irish Sheetings,
German Osnabergs and Tickenbergs,
Chintzes, Calicoes & Cambricks,
India Lustrings and Satoons,
Ironmongery and Cutlery,
Gun Powder and Patent Shot,
Looking-Glasses and Thermometers,
Whips, Spurs, &c. &c. &c

Nov. 8. 8t

To be Sold,

At Public Auction, before the door of the Union Tavern, on the first day of January next, four likely

Negro Fellows & a Woman,

BELONGING to the estate of William Harris, dec. The terms will be made known on the day of sale.

THOMAS HARRIS, Adm'r.

October 19th, 1804. tds

FOR SALE,

On the third day of January next, on the premises,

MY TRACT of LAND in the county of Goochland, adjoining the lands of Capt. Thos. Miller, Mr. Gideon Mims, and others, containing between five and six hundred acres, about 5 miles from the court-house, 3 from James River, and 2 from Captain Josiah Leak's manufacturing mill, in a wealthy and agreeable neighborhood. The buildings are good and in repair; large and extensive orchards of all kinds of fruit, and is sufficient to work 10 hands, & in good order for cropping. Sixty or seventy bushels of wheat will be sowed in good time. One third of the purchase money to be paid on the day of sale, and the balance in two equal annual payments: the purchaser to give bond with approved security, to carry interest from the date, if not punctually paid, and a deed of trust on the land as a farther security.

On the same day and place, will be sold, about 150 barrels of CORN, the crop of FODDER, all the stock of Horses, Cattle, Sheep and Hogs, Plantation Utensils, &c. on 6 months credit, the purchasers to give bond with approved security, to carry interest from the date, if not punctually paid.

WALTER COLES.

Hanover, October 8, 1804. 4aw13t

ALSO—TO BE SOLD,
At the same time and place, FIFTEEN
VALUABLE NEGROES;

Consisting of Men, Women, Boys and Girls—on a credit of 21 months; the purchaser to give Bond with approved security, to carry interest from the date, if not punctually paid.

N. B. In order to accommodate purchasers, the Land would be divided into two or three tracts, as those inclined to buy might agree on.

For Sale, or to be Hired,

A NEGRO WENCH with a young CHILD.—*Also, for sale,* a NEGRO MAN, who has worked several years as a Pressman in this Office.

Blank Bills of Exchange,
FOR SALE
AT THIS OFFICE.

Virginia:

At a Superior Court of Chancery held in the Capitol the city of Richmond the 22d day of September, 1804,

Between
Robert Dunbar, *Plt.*
And
Henry Field and John Field, *Defts.*

THE defendant John Field, not having entered his appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 24th day of September, 1804,

Between
Charles Ghequire, *Plt.*
And
Francis Hume and Charles Hume, *Defts.*

THE defendant Francis Hume, not having entered his appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery, holden in Richmond, the 29th day of September, 1804,

BETWEEN
William Harris, administrator of Francis Thorpe, *Plf.*
AND
Moses Austin & Company, *Dfts.*

THE defendants, who are out of this country, and against whom the plaintiff appears to have proceeded in the mode by law prescribed in such cases, not having entered their appearance, and given security to perform the decree, the court this twenty-ninth day of September, in the year of our Lord, one thousand eight hundred and four, upon the motion of the plaintiff, by counsel, doth take his bill for confessed, and refer the accounts between the parties to one of the commissioners, to be by him examined, stated, settled, and to the court reported, with any matters specially stated, thought pertinent by himself, or required by the parties to be so stated.

Teste, P. TINSLEY, C. C.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 26th day of September, 1804,

Between
Jesse Chowning, Reuben Chowning and John Barnet, *Plts.*
And
John Michie, George Michie, Turner Anderson, acting executor of George Chowning, dec. and John Downing and Polly his wife, Patrick Michie, Nancy, Sally, Matthew and Robert Michie, and John Michie and Lucy his wife, *Defts.*

THE defendant George Michie, not having entered his appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this country: On the motion of the plaintiffs, by counsel, *It is ordered*, That the said defendant do appear here on the first day of the next term, and answer the bill of the plaintiffs; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

Virginia:

At a Superior Court of Chancery held at the Capitol in the city of Richmond the 25th day of September, 1804,

Between
Thomas Coleman, *Plt.*
And
James and Robert Dunlop, surviving partners of Dunlops and Crosse, and Edmund Pendleton, jun. *Defts.*

THE defendants James and Robert Dunlop, not having entered their appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that they are not inhabitants of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, That the said defendants do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some newspaper published in the city of Richmond for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.

At Albemarle October Court, 1804.

Harwood Bacon and Thomas Boyd, *Plts.* } Chancery.
Against
James W. Moss and Robert Thrift, *Defts.* }

THE defendant James W. Moss, not having entered his appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of the state: On the motion of the plaintiffs, by their counsel, *It is ordered*, That the said defendants do appear here on the first Monday in March next, and answer the bill of the plaintiffs; and that a copy of this order be forthwith issued in some public newspaper in the commonwealth for two months successively, and posted at the front door of the courthouse of the said county.

Teste, JOHN NICHOLAS, c. a. c.

Virginia:

At a Superior Court of Chancery held at the Capitol, in the city of Richmond, the [illegible] day of September, 1804,

Between
Anthony Buck, executor of William Glassell, deceased, *Plaintiff.*
And
——— ——— ——— ——— Executors of Rebecca Blackhouse, deceased, and Patrick Home, executor of James Hunter, *Defendants.*

The defendants, ——— ——— ——— ——— executors of Rebecca Blackhouse, deceased, not having entered their appearance and given security according to the act of assembly, and the rules of this court, and it appearing to the satisfaction of the court, that they are not inhabitants of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, that the said defendants do appear here on the first day of the next term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in the city of Richmond, for two months successively, and posted at the front door of the Capitol in the said city.

A Copy—Teste, P. TINSLEY, c. c.